

REMARKS/ARGUMENTS

In response to the Office Action dated March 26, 2008, Applicants respectfully request reconsideration.

Claim Objections

Claims 29 and 30 were objected for allegedly lacking sufficient antecedent basis and for being unclear, respectively. Applicants have canceled claim 29 rendering this objection moot. Applicants have amended claim 30 to depend from new independent claim 31 and, as suggested by the Examiner, to recite that the front housing wall comprises a movable cover shaped to direct the cable attached to the another AC power connector downward through the opening. The subject matter of the amendment is described in the publication of this application at least at paragraph [0029].

Claim Rejections Under 35 U.S.C. §103

Claims 1-2, 7 and 28

Claims 1-2, 7, and 28 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 6,700,351 (Blair) in view of U.S. Pat. No. 6,462,961 (Johnson) in further view of U.S. Pat. No. 6,266,250 (Foye).

Applicants respectfully assert that independent claim 1 and its dependent claims 2 and 7 are patentable over Blair in view of Johnson in further view of Foye. Applicants have amended independent claim 1 to recite a "housing including a chassis that includes a back wall providing a single aperture configured to receive a single fastener to mount the UPS to a vertical wall and to support the UPS when mounted to the vertical wall." (emphasis added). Applicants respectfully submit that none of Blair, Johnson or Foye, alone or in combination, teaches or suggests the feature of a back wall providing a single aperture configured to receive a single fastener to mount the UPS to a vertical wall and to support the UPS when mounted to the vertical wall. The Examiner on p. 6 of the Office Action noted that Blair and Johnson fail to disclose an "aperture on the back wall of the chassis configured to receive a single fastener to mount the

UPS to a vertical wall." Foye discusses that electronic components 13 can be attached to a module 16 that can be connected to a support panel 14 or a rear plate 38. The support panel 14 or the rear plate 38 can be mounted to a wall using multiple fasteners. Thus, Foye discusses mounting electronic components to a module, connecting the module to a support panel or rear plate, and mounting the support panel or rear plate to a wall using multiple fasteners. Foye does not teach, disclose, or suggest the housing including a chassis that includes a back wall providing a single aperture configured to receive a single fastener to mount a UPS to a vertical wall and to support the UPS when mounted to the vertical wall as recited in claim 1. Thus, for at least these reasons, independent claim 1 is, and claims 2 and 7 that depend from claim 1 are, patentable over Blair in view of Johnson in view of Foye.

Applicants respectfully assert that independent claim 28 is also patentable over Blair in view of Johnson in further view of Foye. Applicants have amended independent claim 28 to recite " a housing containing the input, the output, the DC voltage source, the inverter, the transfer switch, and the first controller, the housing including a chassis that includes a back wall providing a single aperture configured to receive a single fastener to mount the UPS to a vertical wall and to support the UPS when mounted to the vertical wall." (emphasis added). Applicants respectfully submit that none of Blair, Johnson or Foye, alone or in combination, teaches or suggests the feature of a back wall providing a single aperture configured to receive a single fastener to mount the UPS to a vertical wall and to support the UPS when mounted to the vertical wall. Blair and Johnson fail to disclose such a single aperture. Foye discusses mounting electronic components to a module, connecting the module to a support panel or rear plate, and mounting the support panel or rear plate to a wall using multiple fasteners. Foye does not teach, disclose, or suggest a housing including a chassis that includes a back wall providing a single aperture configured to receive a single fastener to mount the UPS to a vertical wall and to support the UPS when mounted to the vertical wall as recited in claim 28. Thus, for at least these reasons, independent claim 28 is patentable over Blair in view of Johnson in view of Foye.

Claims 5-6

Claims 5-6 are rejected under 35 U.S.C. §103(a) as being unpatentable over Blair in view of Johnson in view of Foye in view of U.S. Pat. No. 7,181,630 (Kadoi) in view of U.S. Pat. No. 5,534,734 (Pugh). Applicants submit that neither Kadoi nor Pugh, alone or in combination, make up for the deficiencies noted above in Blair, Johnson, and Foye. Thus, for at least the reasons discussed above with respect to claim 1, claims 5-6 are patentable over Blair in view of Johnson in view of Foye in view of Kadoi in view of Pugh.

Claim 8

Claim 8 is rejected under 35 U.S.C. §103(a) as being unpatentable over Blair in view of Johnson further in view of Pugh. Since Claim 1, from which claim 8 indirectly depends, was rejected as being unpatentable over Blair in view of Johnson in view of Foye, Applicants presume that Claim 8 is also rejected further in view of Foye. Applicants submit that Pugh does not make up for the deficiencies noted above in Blair, Johnson, and Foye. Thus, for at least the reasons discussed above with respect to claim 1, claim 8 is patentable over Blair in view of Johnson in view of Foye in view of Pugh.

Claims 9 and 13

Claims 9 and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Blair in view of U.S. Pat. No. 5,949,974 (Ewing). Applicants have canceled claim 9, rendering this rejection moot. Applicants have amended claim 13 to depend from new independent claim 31. Applicants respectfully submit that claim 13 is allowable at least because claim 31 is allowable.

Claims 10-12

Claims 10-12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Blair in view of Ewing in view of Johnson. Applicants have canceled claims 10-12, rendering the rejections moot.

Claims 14-17

Claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Blair in view of Ewing as applied to claim 9 above, and further in view of Pugh. Claim 15 is rejected under 35 U.S.C. §103(a) as being unpatentable over Blair in view of Ewing as applied to claim 9 above, and further in view of U.S. Pat. App. Pub. No. 2003/0197723 (Young). Claims 16-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Blair in view of Ewing as applied to claim 9 above, and further in view of Kadoi in view of Pugh. Claims 14-17 previously depended from independent claim 9, but now depend from new independent claim 31. Applicants respectfully submit that claims 14-17 are allowable for at least the reasons that independent claim 31 is allowable.

Claim 25

Claim 25 is rejected under 35 U.S.C. §103(a) as being unpatentable over Blair in view of Johnson in view of Foye in view of Ewing. Applicants respectfully submit that Ewing does not make up for the deficiencies noted above in Blair, Johnson and Foye, with respect to claim 1, and thus claim 25, that depends from claim 1, is patentable over Blair in view of Johnson in view of Foye in view of Ewing for at least the reasons discussed above. Further, claim 25 recites that a controller is configured to perform firmware instructions to cycle power of a switched power outlet of a UPS. Ewing discusses cycling power using devices outside of a UPS, and does not teach, disclose, or suggest the recited controller configured to cycle power of a switched power outlet of a UPS. Claim 25 is further patentable over Blair in view of Johnson in view of Foye in view of Ewing for at least these further reasons.

Claim 27

Claim 27 is rejected under 35 U.S.C. §103(a) as being unpatentable over Blair in view of Ewing in view of Johnson in view of Foye. Applicants have canceled claim 27, rendering the rejection moot.

Claims 29-30

Claims 29-30 are rejected under 35 U.S.C. §103(a) as being unpatentable over Blair in view of Johnson in further view of U.S. Pat. No. 5,486,664 (Lamp). Applicants have canceled claim 29 rendering the rejection moot.

Applicants have amended claim 30 to depend from new independent claim 31. Applicants respectfully submit that claim 30 is allowable for at least the reasons that independent claim 31 is allowable.

New Independent Claim 31


Applicants have added independent claim 31. Applicants submit that no new matter was added in the new claim 31. Applicants submit that new claim 31 is allowable and respectfully request a notice to that effect. Further, Applicants submit that claims 13-17 and 30 that now depend from claim 31 are allowable at least because claim 31 is allowable.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,


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